

Regular Session, 2010

HOUSE BILL NO. 1042

BY REPRESENTATIVE HENRY

MOTOR VEHICLES: Provides with respect to stored motor vehicles

1 AN ACT

2 To amend and reenact R.S. 32:1720.1, relative to stored motor vehicles; to provide that a  
3 hold harmless agreement between a holder of a lien on a motor vehicle and a storage  
4 facility or a repair or body shop shall not require notarization; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:1720.1 is hereby amended and reenacted to read as follows:

8 §1720.1. Surrender of stored vehicle to lienholder

9 Notwithstanding any other provision of law to the contrary, if a vehicle  
10 placed in a storage facility or a repair or body shop is encumbered by a lien, and the  
11 storage or repair or body shop operator mails the notification required by R.S.  
12 32:1720, the storage or repair or body shop operator shall surrender possession of the  
13 vehicle to the holder of any lien on the vehicle on behalf of the registered owner.  
14 The holder of any lien on the vehicle is the holder shown on the records of the office  
15 of motor vehicles. No such surrender shall occur until the secured party makes a  
16 complete payment of the towing and storage charges and executes a hold harmless  
17 agreement, agreeing to indemnify the storage or repair or body shop operator for  
18 surrender of the vehicle to the secured party. The hold harmless agreement shall not  
19 require notarization.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Henry

HB No. 1042

**Abstract:** Provides that a hold harmless agreement between a holder of a lien on a motor vehicle and a storage facility or a repair or body shop shall not require notarization.

Present law provides that, if a vehicle placed in a storage facility or a repair or body shop is encumbered by a lien, and the storage facility or repair or body shop operator mails the notification required by present law, the storage facility or repair or body shop operator shall surrender possession of the vehicle to the holder of any lien on the vehicle on behalf of the registered owner.

Present law further provides that no surrender shall occur until the secured party makes a complete payment of the towing and storage charges and executes a hold harmless agreement, agreeing to indemnify the storage facility or repair or body shop operator for surrender of the vehicle to the secured party.

Proposed law provides that the hold harmless agreement shall not require notarization.

(Amends R.S. 32:1720.1)